



Sector
Patent
248/037

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Applicant: Jerry Pelletier, et al.) Group Art Unit: 1651
Serial No.: 09/454,252) Examiner: To be assigned
Filed: December 2, 1999)
For: **DEVELOPMENT OF NOVEL**)
ANTI-MICROBIAL AGENTS)
BASED ON BACTERIOPHAGE)
GENOMICS)

SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Documents Enclosed:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR 1.53(f)**, which was mailed by the Patent Office on January 24, 2000 enclosed are:

- ☒ Combined Declaration and Power of Attorney.
- ☒ Preliminary Amendment.
- ☒ Recordation Form Cover Sheet.
- ☒ Assignment of the invention to Phagotech, Inc. (together with PTO Form 1595).

08/03/2000 GTEFFERA 00000090 09454252

02 FC:218

680.00 OP

CERTIFICATE OF MAILING
(37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

7/24/00
DATE OF DEPOSIT

JEFF BENO

☒ Verified Statement to establish "Small Entity Status" under 37 CFR 1.9 and 1.27.(2).

☒ A copy of the Notice to File Missing Parts of Application under 37 CFR 1.53(f).

2. **REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

☒ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two month	\$190.00	\$380.00
<input type="checkbox"/> three month	\$435.00	\$870.00
<input checked="" type="checkbox"/> four month	\$680.00	\$1,360.00
<input type="checkbox"/> five month	\$925.00	\$1,850.00

3. **FILING FEES**

BASIC FILING FEE:				\$760.00
Total Claims	- 20	= 0	x \$18.00	\$0.00
Independent Claims	12 - 3	= 9	x \$78.00	\$702.00
Multiple Dependent Claims	\$260	(if applicable)	<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)		\$130.00
TOTAL OF ABOVE CALCULATIONS				\$1,592.00
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.				<input checked="" type="checkbox"/> \$796.00
Extension of Time (from above)				\$680.00
Assignment--\$40 (if applicable)				<input checked="" type="checkbox"/> \$40.00
TOTAL FEES SUBMITTED HERewith				\$1,516.00

4. **METHOD OF PAYMENT OF FEES:**

☒
☐
☒

A check in the amount of \$1,516.00 is enclosed to cover the above fee(s).
Charge Deposit Account No. **50-1273** in the amount of
The Commissioner is authorized to charge Counsel's Deposit Account No.
50-1273 for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not
covered, in whole or in part, by a check enclosed herewith and to credit any
overpayments to said Deposit Account **50-1273**.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 24 July 2000

By: Wesley B. Ames
Wesley B. Ames
Reg. No. 40,893

WBA:jxb

BROBECK, PHLEGER & HARRISON LLP
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Facsimile: (858) 720-2555



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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022249 0242/0124 COLLECTION 243/037

022249

0242/0124

LYON & LYON LLP

NOT ASSIGNED

SUITE 4000

433 WEST FIFTH STREET

176 ANGELA DR CA 90071-0064

1051

DATE MAILED:

01/20/10

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 2332.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 270 for 16 total claims over 20.

\$ 1170 for 15 independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

U.S. GPO 1999 450-5875

A copy of this notice MUST be returned with "

380.00
351.00
65.00

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